

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

**IN RE: DIGITEK PRODUCT LIABILITY
LITIGATION**

MDL NO. 1968

THIS DOCUMENT RELATES TO ALL CASES

**NOTICE OF CANCELLATION OF
CROSS NOTICE OF VIDEOTAPED DEPOSITION
OF CLAUDE E. JARRELL**

PLEASE TAKE NOTICE that the deposition of plaintiff and class representative Claude E. Jarrell scheduled for Thursday, July 2, 2009, in Charleston, West Virginia, is hereby postponed to a later date and time yet to be determined. This deposition was originally noticed on June 4, 2009 in Jarrell v. Actavis Group, et al., Case No. 09-C-512, pending in the Circuit Court of Kanawha County, West Virginia, and cross noticed in the Digitek® MDL on June 11, 2009.

Any questions regarding the above may be directed to Counsel for the Actavis Defendants in the MDL: Matthew P. Moriarty, Tucker Ellis & West LLP, 925 Euclid Ave., Suite 1150, Cleveland, Ohio, (216) 592-5000. Additionally, questions may be directed to Liaison Counsel for the Actavis Defendants in the MDL: Rebecca A. Betts, Allen Guthrie & Thomas, PLLC, 500

Lee Street, East, Suite 800, Charleston, West Virginia, 25333-3394, (304) 345-7250.

Dated: June 30, 2009

ALLEN GUTHRIE & THOMAS, PLLC

By: /s/ Rebecca A. Betts

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CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2009, a copy of the foregoing Notice of Cancellation of Cross Notice of Videotaped Deposition of Claude E. Jarrell was filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Rebecca A. Betts
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